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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* RICHARD CARR, RAJIV RAGHAVENDRARAO  
GIDADHUBLI, ISMAIL MOHIDEEN, and THE-HAO NGUYEN

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Appeal 2007-1551  
Application 09/788,611  
Technology Center 3600

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Decided: February 28, 2008

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Before MURRIEL E. CRAWFORD, HUBERT C. LORIN, and  
JOSEPH A. FISCHETTI, *Administrative Patent Judges*.

LORIN, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Carr (Appellants) seek our review 35 U.S.C. § 134 of the final rejection of claims 1, 4, 6, 29-31, 73-74, 93-100. Claims 2-3, 5, 7-28, 32-72, 75-92 have been cancelled. We have jurisdiction under 35 U.S.C. § 6(b) (2002).

## SUMMARY OF DECISION

We AFFIRM.<sup>1</sup>

### THE INVENTION

The Appellants' claimed invention is to a method and apparatus "which allows a plurality of users to easily create, modify and dynamically maintain their business rules and data definitions for use with an electronic procurement ("e-procurement") system, without requiring outside intervention for such tasks as recompiling." (Specification 1:15-18.) According to the Specification, "[i]n order to avoid the disadvantages of using multiple executables of an e-procurement application for different buyers as illustrated in FIG. 1C, a 'shared executable hosted system' can be used." (Specification 16:3-5.) Fig. 2 illustrates a shared executable hosted model of an e-procurement system between buyers and financial systems per the invention. Fig. 3 illustrates an embodiment of the invention showing a relationship between parties and data stored in an e-procurement system that stores organization profiles associated with a user and a manager. (Specification 17:18-20; 22:16-21; 23:10-11.) Referring to Fig. 3,

[w]hen the e-procurement system 300 receives a purchase request from a user, the e-procurement system 300 carries out the business rules and data definitions for the organizational profile associated with that particular user. When the e-procurement system 300 finishes applying the business rules and data definitions and ultimately approves a transaction for a user, then the e-procurement system 300 implements the transaction with an appropriate application system.

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<sup>1</sup> Our decision will make reference to Appellants' Appeal Brief ("App. Br.," filed Sep. 6, 2006), the Examiner's Answer ("Answer," mailed Oct. 6, 2006), and the Reply Brief ("Reply Br.," filed Dec. 6, 2006).

The e-procurement system 300 implements the transaction according to the relevant data stored in the respective organizational profile.

(Specification 23:17-24:4.)

Thus, as can be seen by FIG. 3, the present invention allows numerous users to have their own unique business rules and other relevant data implemented by the same e-procurement system. In addition, the same e-procurement system can process each user's transaction and interface with the user's desired application system. Further, if the e-procurement system illustrated in FIG. 3 is implemented in the shared executable hosted model, then a large number of users and application systems can be accommodated with single e-procurement system.

(Specification 26:3-10.)

## THE REJECTIONS

The Examiner relies upon the following as evidence of unpatentability:

Dahan

US 6,950,809 B2

Sep. 27, 2005

The following rejection is before us for review:

- Claims 1, 4, 6, 29-31, 73-74, and 93-100 are rejected under 35 U.S.C. § 102(e) as being anticipated by Dahan.

## ISSUES

The issue is whether the Appellants have shown that the Examiner erred in rejecting claims 1, 4, 6, 29-31, 73-74, 93-100 as being anticipated by Dahan.

## FINDINGS OF FACT

Claims 1, 6, 29, 73, 98, and 100 are the independent claims. Claims 4 and 93-97 depend from claim 1. Claims 30-31 depend from claim 29. Claim 74 depends from claim 73. Claim 99 depends from claim 98. Claims 1, 4, 6, 29-31, and 93-97 are method claims. Claims 73-74 and 98-100 are apparatus claims.

The Brief argues the claims in the following groups:

- Claims 1, 4, 29-31, 93, 100 (Br. 7-8);
- Claim 73 (Br. 8-9);
- Claims 6, 74, 94, and 95 (Br. 9);
- Claims 98 and 99 (Br. 9-10); and,
- Claims 96 and 97 (Br. 10-11).

Because Appellants argue claims 1, 4, 29-31, 93, 100; 6, 74, 94, and 95; 98 and 99; and 96 and 97 as groups (see App. Br. 7-11), pursuant to the rules, the Board selects representative claims 1; 6; 98; and, 99 to decide the appeal with respect to the rejection of each of these groups, respectively, and the remaining claims in each group will stand or fall with their selected respective claim. 37 C.F.R. § 41.37(c)(1)(vii) (2007).

We find that the following enumerated findings are supported by at least a preponderance of the evidence. *Ethicon, Inc. v. Quigg*, 849 F.2d 1422, 1427 (Fed. Cir. 1988) (explaining the general evidentiary standard for proceedings before the Office). Only those arguments actually made by Appellants have been considered in this decision. Arguments which Appellants could have made but chose not to make in the Briefs have not been considered and are deemed to be waived. See 37 C.F.R. § 41.37(c)(1)(vii) (2007).

*Claims 1, 4, 29-31, 93, 100*

1. Claim 1 reads as follows:
  1. A method comprising:
    - dynamically maintaining a plurality of organizational profiles containing integration preferences, a plurality of users each being associated with a particular organizational profile; and
    - providing an executable on a shared executable hosted e-procurement system, the executable being shared by the plurality of users to implement user requested transactions of the plurality of users, the executable implementing a respective user requested transaction by a respective user with an application system by accessing the organizational profile associated with the respective user and implementing the integration preferences contained in the accessed organizational profile,
    - wherein the integration preferences contained in a respective organizational profile determine how the shared executable hosted e-procurement system interacts with the application system for the respective organizational profile or for the users associated with the respective organizational profile, to thereby implement user requested transactions via the executable on the shared executable hosted e-procurement system.
2. The Examiner found that Dahan describes the method of claim 1.
3. According to the Examiner, the first step of claim 1 is described in Dahan at col. 4, l. 51 – col. 5, l. 2. (Answer 3.) This is not disputed.
4. According to the Examiner, the limitation in the second step of claim 1 for “providing an executable on a shared executable hosted e-procurement system, the executable being shared by the plurality of users to implement user requested transactions of the plurality of

users” is described in Dahan at col. 5, ll. 6-15 of Dahan. (Answer 3-4.) This is not disputed.

5. According to the Examiner, the limitation in the second step of claim 1 whereby “the executable implementing a respective user requested transaction by a respective user . . . and implementing the integration preferences contained in the accessed organizational profile” is described in Dahan at col. 5, ll. 16-23. (Answer 4.) This is not disputed.
6. According to the Examiner, the limitation in claim 1 “wherein the integration preferences contained in a respective organizational profile determine how the shared executable hosted e-procurement system interacts with the application system for the respective organizational profile or for the users associated with the respective organizational profile, to thereby implement user requested transactions via the executable on the shared executable hosted e-procurement system” is described in Dahan at col. 5, ll. 38-43. (Answer 4.)
7. The Appellants argued that Dahan does not describe the limitation in claim 1 “wherein the integration preferences contained in a respective organizational profile determine how the shared executable hosted e-procurement system interacts with the application system for the respective organizational profile or for the users associated with the respective organizational profile.” (App. Br. 7.)

8. According to the Appellants,  
[i]n Dahan, each party to a transaction has a profile identifier. The profile identifier for a respective party identifies a business entity with which the party is affiliated. See, for example, column 4, lines 28-35, of Dahan. The profile identifier is used to access a database to retrieve information about the party. See, for example, column 4, line 51, through column 5, line 2, of Dahan. However, in Dahan, the retrieved information is simply used by a rules engine to make a decision regarding a transaction. As described, for example, in column 5, lines 6-48, of Dahan, the decision might be a decision regarding the credit worthiness of a buyer. This decision would then be delivered to a seller. ... For example, no portion of Dahan indicates that an application system is interacted with in any different manner based on information associated with the profile identifiers in Dahan.  
(App. Br. 7-8.)
9. The Examiner responds by arguing that the instantly claimed integration preference is a business rule used to determine how a user may interact with an application system and that Dahan does likewise through the use of digital identifiers.

The Examiner notes, the specification as originally filed defines an integration preference as a business rule that is typically used to determine how a user may interact with an application system. For example, an integration preference may specify a payment option to be used for a purchase (Specification: Detailed Description Paragraph 0057 and 0075). Dahan discloses a method for facilitating a transaction in electronic commerce. The method allows a buyer and a seller to exchange information, such as their respective credentials, while a transaction is in progress (Dahan: column 4, lines 10-15)[.]

Referring to Fig. 1 of Dahan, in step 110, the method identifies a first party to the transaction from a digital identifier. In step 115, the method extracts a profile identifier of the first party from the digital identifier. In a complete transaction involving multiple parties, the method extracts a profile



identifier from the digital identifier of each respective party. The profile identifier, which is embedded in the digital identifier by the issuer of the digital identifier, uniquely identifies a business entity with which a party is affiliated. In step 120, the method retrieves data from a database based on the profile identifier. That is, the profile identifier is used to access a database to retrieve information about the party. In a case where the party of interest is an individual, the retrieved information can include individual rights, roles and privileges.

FIG. 2 of Dahan shows additional features that are contemplated to enhance the basic method as shown in FIG. 1. The enhancements begin with step 210. In step 210, the method makes a decision regarding the transaction based on a rule applied to the data that was retrieved in step 120. The method utilizes a rules engine to execute business logic rules to arrive at the decision. For example, the rules can be applied to analyze the credentials of the parties and make a recommendation regarding how a user may interact within an e-commerce system, i.e. an integration preference.

Further notable, the method of Dahan can be utilized to designate that a particular individual is authorized to act on behalf of a particular entity. The profile identifier for an individual, such as an email address, can be used to determine individual rights, roles and privileges (Dahan: column 6, lines 30-40).

(Answer 6-7.)

10. The Reply Brief does not respond to the Examiner's remarks of FF 9.
11. The Specification defines "integration preferences" as "preferences regarding how the e-procurement system should interact with an application system for a specific user or organization."  
(Specification 30:16-18.)
12. Integration preferences are stored in organizational profiles. "The integration preferences are stored in the organizational profile so that when a purchase is to be completed, the electronic

procurement system automatically will carry out the purchase using the chosen integration preference.” (Specification 31:15-18.)

Table III shows what appears to be an example of a database record of two organizational profiles (represented by ClientID’s) with corresponding values for fields defining integration preferences for those particular organizational profiles.

(Specification 32:3-12.)

13. The Specification defines an “organizational profile” as follows:

An organizational profile is an object or data file which stores data definitions and business rules, and any other relevant business data for a particular user, group of users, department, agency, office, etc.

(Specification 26:19-22.)

14. The Specification defines an “e-procurement system” as “an automatic system, implemented by a computer, which allows a buyer to conduct any type of purchase from an electronic catalog system.” (Specification 14:19-21.) The Specification indicates that e-procurement systems are well known and provides an example. (Specification 15:2-4).

15. A “shared executable hosted system” is “an e-procurement system in which multiple buyers from multiple organizations can use the system without having to use multiple executables as illustrated in FIG. 1C.” (Specification 16:8-10.)

16. The Specification defines an “application system” as “a system with which an e-procurement system communicates and performs an operation at the request of the e-procurement system. An example of an application system that may need to interact with an

e-procurement system would be an inventory system.”

(Specification 15:8-12.) The Specification indicates that this is well known and provides an example. (Specification 17:2-4.)

17. Dahan is directed to a method of facilitating transactions in electronic commerce.
18. Dahan shows business rules. “The method utilizes a rules engine to execute business logic rules to arrive at a decision.” (Col. 5, ll. 8-9.)
19. Dahan’s business rules tie together buyers and sellers by setting conditions for a contemplated transaction. (Col. 5, ll. 9-12.)
20. Dahan’s business rules can be customized depending on the objective. “Preferably, a party can access a rules editor that allows the party to customize a rules profile in order to accommodate validation preferences or criteria that the party may wish to employ.” (Col. 5, ll. 38-41.)

*Claim 73*

21. Claim 73 reads as follows:

73. An apparatus comprising:  
a plurality of financial systems;  
a plurality of users, each user associated with a respective organizational profile of a  
plurality of dynamically maintained organizational profiles,  
each profile containing integration  
preferences; and  
a shared executable hosted e-procurement system storing  
the plurality of organizational profiles, wherein  
the integration preferences contained in a respective  
organization profile determine how the shared executable  
hosted e-procurement system interacts with the respective  
financial systems for the respective organization profile or for

the users associated with the respective organizational profile, and the shared executable hosted e-procurement system has an executable which is shared by the plurality of users to implement user requested transactions of the plurality of users, the executable implementing a respective user requested transaction by a respective user with a selected financial system by accessing the organizational profile associated with the respective user and interacting with the selected financial system in accordance with the integration preferences contained in the accessed organizational profile.

22. The Examiner found that Dahan describes the apparatus of claim 73. The Examiner used the same rationale as the one used to show that claim 1 reads on Dahan. See *supra*. (Answer 4.)
23. In the Appeal Brief, the Appellants made substantially the same arguments in support of the patentability of claim 73 as were made with respect to claim 1. See *supra*. The Appellants added that “Dahan does not disclose or suggest a shared executable hosted e-procurement system that interacts with a plurality of financial systems, and that integration preferences determine how the shared executable hosted e-procurement system interacts with the respective financial systems as recited, for example, in claim 73.” (App. Br. 8.)
24. The Examiner responded by arguing that Dahan discloses profile identifiers used to establish links to additional data sources “such as (3) customer identification/account numbers within enterprises.” (Answer 8.) The Examiner argues that “[a] data source such as (3) would constitute in its broadest sense a financial system.” (Answer 8.)

*Claims 6, 74, 94, and 95*

25. Claim 6 reads as follows:

6. A method comprising:

dynamically maintaining a plurality of organizational profiles containing data definitions which define data fields required to implement user requested transactions, a plurality of users each being associated with a particular organizational profile; and

providing an executable on a shared executable hosted e-procurement system, the executable being shared by the plurality of users to implement user requested transactions of the plurality of users, the executable implementing a respective user requested transaction of a respective user with an application system by accessing the organizational profile associated with the respective user and transmitting, to the application system, data fields defined by the data definitions contained in the accessed organizational profile and required by the application system to implement the respective user requested transaction.

26. The Examiner found that Dahan describes the method of claim 6. The Examiner used the same rationale as the one used to show that claim 1 reads on Dahan (see *supra*) and also argued that “Dahan discloses a method comprising dynamically maintaining a plurality of organizational profiles containing data definitions, which define data fields required to implement user requested transactions (Dahan; Fig. 3, “320”).” (Answer 4.)

27. The Appellants (App. Br. 9) argued that

Dahan does not disclose or suggest such transmission of data fields. Instead, as indicated above, in Dahan, a profile identifier is used to access a database to retrieve information about a party, and the retrieved information is simply used by a rules engine to make a decision regarding a transaction.

Neither the profile identifier nor the information retrieved from the database in Dahan provide data fields needed by an application system to implement a user requested transaction, or

indicate that such data fields are transmitted to the application system.

(App. Br. 9.)

*Claims 98 and 99*

28. Claim 98 reads as follows:

98. An apparatus comprising:  
a plurality of application systems;  
a plurality of users, each user associated with a respective organizational profile of a plurality of dynamically maintained organizational profiles, each profile containing integration preferences and data fields; and  
a shared executable hosted e-procurement system storing the plurality of organizational profiles, wherein  
the integration preferences contained in a respective organization profile determine how the shared executable hosted e-procurement system interacts with the respective application systems for the respective organization profile or for the users associated with the respective organizational profile, and  
the shared executable hosted e-procurement system has an executable which is shared by the plurality of users to implement user requested transactions of the plurality of users, wherein  
the executable implements a respective user requested transaction by a respective user with a selected application system of the plurality of application systems by accessing the organizational profile associated with the respective user and interacting with the selected application system in accordance with the integration preferences contained in the accessed organizational profile, and  
the shared executable hosted e-procurement system transmits, to the selected application system, data fields contained in the accessed organization profile and that are required for the selected application system to implement the respective user requested transaction.

29. The Examiner found that Dahan describes the apparatus of claim 98. The Examiner used the same rationale as the one used to show that claim 1 reads on Dahan. See *supra*. (Answer 5.)
30. The Appellants argued, in part, that
- claim 98 recites that the shared executable hosted e-procurement system transmits, to the selected application system, data fields contained in the accessed organization profile and that are required for the selected application system to implement the respective user requested transaction.

(App. Br. 9-10.)

*Claims 96 and 97*

31. Claim 96 reads as follows:
96. A method as recited in claim 1, wherein the integration preferences include encumbrance and payment preferences.
32. The Examiner found that Dahan describes the method of claim 96. The Examiner argued that “Dahan further discloses a method wherein the integration preferences include encumbrance and payment preferences (Dahan: column 5, lines 44-48).” (Answer 5.)
33. The Appellants argued that
- in Dahan, the retrieved information is simply used by a rules engine to make a decision regarding a transaction. As described, for example, in column 5, lines 6-48, of Dahan, the decision might be a decision regarding the credit worthiness of a buyer. This decision would then be delivered to a seller.
- ...
- In rejecting claims 96 and 97, the Examiner refers to column 5, lines 44-48, of Dahan. However, this portion of Dahan simply indicates that a decision on a transaction is delivered to a seller. For example, as described above, the

retrieved information in Dahan is simply used by a rules engine to make a decision regarding a transaction. Column 5, lines 44-48 simply indicates that the decision is delivered to a seller in the transaction. This portion of Dahan does not disclose or suggest the specific use of integration preferences including encumbrance and payment preferences as recited, for example, in dependent claim 96 and 97 (which include the features of their corresponding base claims).

(App. Br. 10-11.)

34. The Specification indicates that a “pre-encumbrance serves to check if the required funds are in the appropriate account. However, no actual money is removed. ... An encumbrance actually reserves the funds required from the appropriate account.” (Specification 30:22-31:5.)

35. Col. 5, ll. 44-48 of Dahan reads as follows:

In step 215, the method delivers the decision and its associated data to at least one of the first party and a second party to the transaction. By example, a decision regarding the credit worthiness of a buyer would be delivered to a seller.

## PRINCIPLES OF LAW

Anticipation is a question of fact. *In re Schreiber*, 128 F.3d 1473, 1477 (Fed. Cir. 1997). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631 (Fed. Cir. 1987). There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *Scripps Clinic & Research Found. v. Genentech Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991).



When relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *See Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Patent App. & Int. 1990). Under principles of inherency, when a reference is silent about an asserted inherent characteristic, it must be clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. *Continental Can Co. v. Monsanto Co.*, 948 F.2d 1264, 1268, (Fed. Cir. 1991). The law of anticipation does not require that the prior art reference teach the appellants' purpose disclosed in the specification, but only that the claims on appeal "read on" something disclosed in the prior art reference. *See Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 772 (Fed. Cir. 1983).

## ANALYSIS

*Claims 1, 4, 29-31, 93, 100.*

The Appellants argue claims 1, 4, 29-31, 93, and 100 as a group (App. Br. 7-8). We select claim 1<sup>2</sup> as the representative claim for this group, and the remaining claims 4, 29-31, 93, 100 stand or fall with claim 21. 37 C.F.R. § 41.37(c)(1)(vii) (2007).

We will sustain the rejection of these claims.

The only issue is whether Dahan describes the claimed integration preferences. There is no dispute that Dahan describes the remaining steps in

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<sup>2</sup> See *supra*.

the claimed method. (FF 3-5.) The dispute is over whether Dahan's disclosure of the use of business rules meets the claimed integration preferences. (FF 5-9.)

"The Patent and Trademark Office ("PTO") determines the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction 'in light of the specification as it would be interpreted by one of ordinary skill in the art.' *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004)." *Phillips v. AWH Corp.*, 415 F.3d 1303, 1316 (Fed. Cir. 2005). In that regard, the applicant has placed definitions for claim terms in the Specification with sufficient clarity to provide a person of ordinary skill in the art with clear and precise notice of the meaning that is to be construed. *In re Paulsen*, 30 F.3d 1475, 1480 (Fed. Cir. 1994).

Given the definitions for "integration preferences," "organization profile," "e-procurement system," "shared executable hosted system," and "application system," (FF 11-16), the broadest reasonable construction to be given the limitation in claim 1 that is in dispute, i.e., "integration preferences contained in a respective organizational profile determine how the shared executable hosted e-procurement system interacts with the application system for the respective organizational profile or for the users associated with the respective organizational profile," is that it describes business rules, i.e., a type of logic, relevant to an organization that tie together an e-procurement system and an application system.

Claim 1 broadly covers any business rule that is relevant to an organization that ties together any known e-procurement system and any known application system. That Dahan shows a system covering an e-

procurement system and an application system is not in dispute. The question is only whether Dahan describes a business logic to tie them together. We are satisfied that the Examiner has properly found that Dahan expressly describes such logic (FF 9) and we find basis in Dahan for that finding (FF 18-20). We are not persuaded by the Appellants' arguments that Dahan does not describe the claimed integration preferences (FF 7 and 8). The Appellants concede that Dahan describes a rules engine to make a decision regarding a transaction. (FF 8.) The Appellants do not explain why this would not meet the claimed limitation given its broadest reasonable construction

*Claim 73.*

We will not sustain the rejection of this claim.

The Examiner argues that Dahan describes profile identifiers used to establish links to additional data sources involving customer identification/account numbers within enterprises which, according to the Examiner, would constitute a financial system. However, the claim requires that the "integration preferences contained in a respective organization profile determine how the shared executable hosted e-procurement system interacts with the respective financial systems." The fact that Dahan's profile identifiers may be used to establish links to data sources does not mean that Dahan describes, expressly or inherently, a business rule by which the shared executable hosted e-procurement system interacts with a plurality of financial systems as claimed. According to Dahan, "the profile identifier is used to access a database to retrieve information about [a] party." Col. 4, ll. 51-54. The identifiers or the corresponding retrieved data are not the

rules themselves (See Dahan, col. 5, ll. 6-8: “In step 210, the method makes a decision regarding the transaction based on a rule applied to the data retrieved in step 120.”)

Accordingly, we do not find that Dahan expressly or inherently describes the subject matter of this claim.

*Claims 6, 74, 94, and 95.*

We will not sustain the rejection of these claims.

The method described by these claims includes a step by which the shared executable hosted e-procurement system transmits data fields to the application system. (Claim 6: “a shared executable hosted e-procurement system, the executable ... transmitting, to the application system, data fields defined by the data definitions contained in the accessed organizational profile and required by the application system to implement the respective user requested transaction”). We can find no such step in Dahan. The Examiner has not shown where in Dahan this step is described, either expressly or inherently. (FF 26.) Accordingly, a prima facie case of anticipation of the claimed invention over Dahan has not been established.

*Claims 98 and 99.*

We will not sustain the rejection of these claims.

The method described by these claims includes a step by which the shared executable hosted e-procurement system transmits data fields to the application system. (Claim 98: “the shared executable hosted e-procurement system transmits, to the selected application system, data fields”). We can find no such step in Dahan. The Examiner has not shown where in Dahan

this step is described, either expressly or inherently. (FF 29.) Accordingly, a prima facie case of anticipation of the claimed invention over Dahan has not been established.

*Claims 96 and 97.*

We will not sustain the rejection of these claims.

The method described by these claims further limits the integration preferences such that they “include encumbrance and payment preferences.” We can find no such limitation the Dahan. The Examiner has not shown where in Dahan this limitation is described, either expressly or inherently. (FF 32 and 35.) The passage in Dahan to which the Examiner refers describes credit worthiness and does not mention “encumbrances” or “payment preferences.” The Specification defines “encumbrances,” as the claim uses the term, as reserving funds for a transaction. (FF 34.) The broadest reasonable construction of the claim in light of the Specification as it would be interpreted by one of ordinary skill in the art is that the claims limit the integration preferences to include reserving funds for a transaction and payment preferences. Credit worthiness, as Dahan describes, is neither an encumbrance nor a payment preference. Accordingly, a prima facie case of anticipation of the claimed invention over Dahan has not been established.

#### CONCLUSIONS OF LAW

The Appellants have not shown that the Examiner erred in rejecting claims 1, 4, 29-31, 93, and 100 as being anticipated by Dahan.

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The Appellants have shown that the Examiner erred in rejecting claims 6, 73-74, and 94-99 as being anticipated by Dahan.

#### DECISION

The decision of the Examiner rejecting claims 1, 4, 6, 29-31, 73-74, and 93-100 under 35 U.S.C. § 102(e) as being anticipated by Dahan is affirmed-in-part.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). See 37 CFR § 1.136(a)(1)(iv) (2007).

#### AFFIRMED-IN-PART

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